

Irrigation & Command Area Development -Indira Sagar Polavaram Project -(1) W.P. (C) 144/2006- In the matter of Dr.Brahma Dev Sharma and others Versus Union of India, through Secretary, Ministry of Environment and Forest and Others (2) SLP (C) No.958/2008 in the matter of Prof. Kodanda Rama Reddy V/s Union of India and others –Fee schedule of Sri. Y. Raja Gopal Rao, Advocates-on-Records, Hon'ble Supreme Court Of India- Approved - Orders – Issued.

IRRIGATION & CAD (PW-MAJ.IRRIG.I) DEPARTMENT

dated 2.3.2009.
Read the following :-

The Chief Engineer, Indira Sagar Polavaram Project, Dowlaiswaram in the read above has informed that the Indirasagar Poalavaram Project is a Multipurpose Major Irrigation Project and taken up by the Government of Andhra Pradesh under Jalayagnam to create irrigation potential to upland areas and for the overall development of the State. This Project is taken up as per the Inter State agreements concluded amongst three States Chattishgarh, Orissa and Govt. of Andhra Pradesh., as per the GWDT award, 1980.

- (i). A No. 1572 and 1578 for permission of diversion of Wild life and forest area coming under submergence and construction of the project running on file of Supreme Court since May 2006.
- (ii) W.P. No. 144 / 06 by the Brahma Dev Sarma on behalf of State of Chattishgarh.
- (iii) Government of Orissa filed Counter affidavits twice on the IA No. 1572 and 1578 of 2006 filed by Government of Andhra Pradesh.

P.T.O.

- (iv) Suite No. 4/2007 filed by Orissa State on the GWDT award (the case being dealt in office of Inter State Water Resources, Hyderabad)
- (v) SLP No. 958 / 2007 filed by Prof. Kodanada Rama Reddy on the Judgement of High Court of A.P Dt 20.6.2007 on Polavaram Project
- (vi) Contempt petition No. 114 /2007 filed by Sri J. Rama Chandra Rao, on the Orders of Supreme Court and further
- (vii) Transfer Petition No. 1159 of 2008 filed on 4.10.2008 by Chattishgarh Environment Conservation Board, Govt. of Chattishgarh on W.P. No. 27787 / 2007 filed by Govt. of A.P before High Court of A.P on Environmental Clearance of the Project.

3. The Hon`ble Supreme Court has clubbed and decided to hear all the cases together during hearing on 1-9-2008. In this connection, in order to counter the arguments of opposition counsels of each of the cases from all angles, separate Senior Advocates have been proposed for hearing effective arguments, with common Advocate on Records for guiding the Senior Advocates on all the issues, as per the suggestions of the Advocate General, High Court of Andhra Pradesh.

4. The Chief Engineer, Indira Sagar Polavaram Project, Dowlaiswaram has informed that Sri Y. Raja Gopal Rao has been appearing as Advocate on Records in the case of Indira Sagar Polavaram Project, pending before the Supreme Court of India, to protect the interest of Government from different angles and supporting the concerned Senior Advocate for arguments of the cases and has yet to paid.

5, The Chief Engineer, Indira Sagar Polavaram Project, Dowlaiswaram has submitted the following fee schedule for arranging payment to Sri Y. Raja Gopala Rao to Government for approval:

Sl.No	Description	Amount
1.	Fee for entering appearance (One time)	Rs. 25,000/-
2.	Appearance in Supreme Court	Rs. 20,000/-
3.	Conference with Senior Advocates at New Delhi per Hour	Rs, 7,500/-
4.	Drafting miscellaneous pleadings (per Pleading)	Rs. 3,000/-
5.	Drafting of Counter (One fee)	Rs.30,000/-
6.	Day Fee (having a minimum period of 3 hours for study, preparation, conference working consultation etc.,	Rs. 12,000/-

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6. In the circumstances explained, the Chief Engineer, Indirasagar Polavaram Project, has requested the Government to issue orders apprising the above fee schedule, so as to arrange payment to the Advocate on Records.

7. Government after careful examination here by approve the proposal for payment of the legal fee schedule of Sri.Y.Raja Gopala Rao, Advocates-On-records, who attended before the Hon' ble Supreme Court of India, New Delhi for appearance and conducting (1)W.P.(C) 144/2006, in the matter of Dr.Brahma Dev Sharma and others versus union of India ,through Secretary, Ministry of Envirment and Forest and others (@) SLP©No.958/2008, in the matter of Prof. Kondanda Rami Reddy V/S Union of India and others of the Polavaram Project cases as detailed below ::

Sl.No.	Particulars	Amount
1	Fees for entering appearance (one time each case)	Rs.25,000
2.	Appearance in Supreme Court appearance	Rs.20,000
3	Conference with Senior Advocates at New Delhi per hour	Rs. 7,500
4.	Drafting of counter (one fee)	Rs.30,000
5.	Drafting of Miscellaneous pleading (Per pleading)	Rs. 3,000
6.	Day Fee (having a minimum period of 3 hours for study, preparation, conference working consultation etc.,	Rs.12,000

8. The Expenditure sanctioned above shall be debited “ 4701- Major & Medium Irrigation – 01 – Major Irrigation - MH 800- Other Expenditure – GH 11 Normal State Plan – SH (11) Project under Chief Engineer, Polavaram Project – 280 Professional services – 281 Pleaders fees”.

9. The Chief Engineer. Indira Sagar Polavaram Project, Dowlaiswaram shall take necessary further action in the matter accordingly.

10. This order issues with the concurrence of Finance (W&P), Department vide their U.O.No. SP.1838/F.7(A1)/2009-1, dated 16.2.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAIENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Engineer, Indira Sagar Polavaram Project, Dowlaiswaram –
533 125, East Godavari District.

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Copy to:

The Accountant General, Andhra Pradesh, Hyderabad

The Director of Works Accounts, Hyderabad

The Joint Director of works Accounts, Dowlaiswaram-533125

The P.S.to Special. Secretary to Chief Minister

The P.S. to Minister for Major Irrigation.

The P.S.to Principal .Secretary.to Government, (Projects).

The Finance (W&P) Department.

SF / SC

// FORWARDED :: BY ORDER //

SECTION OFFICER.